

CUSTOMER NO.: 24498
Ser. No. 09/936,479

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Remarks/Arguments

Claims 1-9 are pending. Claims 1-9 stand finally rejected. The claims are not amended in this response.

Rejection of claims 1, 5, and 8 under 35 USC 102(b) as allegedly being anticipated by Gillard et al. (US Pat No 5,404,166, hereinafter Gillard)

Applicants submit that for at least the reasons discussed below claims 1, 5, and 8 are not anticipated under 35 USC 102(b) by Gillard. Gillard fails to teach each claim element as recited in claims 1, 5 and 8.

Applicants' claim 1 recites a method for the management of data received via a serial data bus in a receiving device. The preamble of claim 1 clearly describes the environment in which the method is to be performed.

Additionally claim 1 recites: "receiving data transmitted in bus packets having a variable length, each bus packet having a header and a payload data field," (emphasis added).

In the Office Action it is alleged that the block formatter 10 shown in Fig. 1 of Gillard anticipates claim 1, and that applicants' bus packet having a header and payload data field is shown by elements 80, 85 and 90, respectively, in Fig. 3 of Gillard. Thus, the Office Action points to the receiving of data at the block formatter 10 as anticipating applicants' "receiving" and then points to Gillard's generating of data in the block formatter 10 (80, 85 and 90) as anticipating applicants' claimed bus packet having a header and payload data field. However, elements 80, 85 and 90 of Gillard do not correspond to the data received at the block formatter 10. It is impermissible to pick and choose elements at random to fit an alleged rejection.

Applicants respectfully submit that the block formatter 10 of Gillard is part of a video encoder and receives data from run length and Huffman coders 40 and 45. Gillard clearly describes in col. 3, lines 56 to 59, and shows in Fig. 1, that the block formatter 10 receives the data from the coders 40 and 45 over a 20-bit parallel data bus (col. 3, line 59). The Office Action, on page 2, points to this description in Gillard as showing applicants' claimed "receiving" and points to the block formatter 10 as showing the claimed receiving device. However, Gillard discloses receiving 20-bit parallel data

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at the block formatter 10. The structure of Gillard's parallel bus is clearly defined in col. 3, line 54 to col. 4, line 8 (as relied upon by the examiner). This section of Gillard describes that the block formatter 10 is receiving either partial or valid Huffman codes over a 20-bit parallel data bus. "Any bits of the data bus not occupied by bits of the Huffman code are set to logical 1." Not only is Gillard teaching a parallel bus but there is no header or payload data field described in the portions of Gillard mentioned by the Office Action.

This is in complete contrast to applicants' method for the management of data received via a serial data bus in a receiving device; and, also in complete contrast to applicants' claimed feature of receiving data transmitted in bus packets having a variable length, each bus packet having a header and a payload data field.

There is no disclosure or suggestion at all in Gillard that the data on this parallel data bus is packed into a bus packet with header and payload fields. In fact, Gillard states that any bits not occupied by the Huffman code is set to logical 1.

As pointed out above, the Office Action points to elements 80, 85 and 90 to show applicants' bus packet having a header and payload data field. However, these data blocks are generated by the block formatter 10. There is no "receiving" as claimed by applicant in claim 1. Thus, the Office Action points to the "receiving" at the block formatter 10 as described in col. 3, line 54 to col. 4, line 8. But then points to the "generating" in the block formatter 10 as providing the bus packet definition. The Office Action is choosing random elements of Gillard to fit an alleged rejection.

In addition, claim 1 further defines "the payload data field being divided into a number of data blocks having a defined length, a data block consisting of a plurality of data words, the plurality being a fixed amount." In rejecting these features the Office Action again looks to some other place in the Gillard reference to find something that appears to be similar to the claimed features. However, the sections cited to have no relation to the data received by the block formatter 10. Furthermore, the information flowing to the block formatter 10, according to Gillard, does not include the claimed features pointed out above.

Claim 1 further defines the "receiving" in that "a combination of a defined number n of data blocks forming a data source packet of fixed length, section-by-section

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transmission of the data source packet within the framework of data blocks being permitted." The block formatter 10 does not receive data in this format. The Office Action again points to the generating in the block formatter 10, which is not related to the receiving. Thus, applicants repeat the above argument.

However, even assuming the argument in the Office Action, which applicants do not agree to, the luminance data section and chrominance data section in Gillard do not have a fixed block length. Col. 4, lines 21-27 of Gillard states that the relative sizes of the luminance data section versus the chrominance data section will depend on the respective degrees of quantization and the information content of those portions of the transformed luminance and chrominance images. This is obviously not in a format of a plurality of data blocks having a fixed length, as particularly claimed by applicants.

Claim 1 also recites: "carrying out a modulo-n counting of the data blocks in order to determine the data source packet boundaries, and in that the beginning of a new data source packet is signaled to a memory management device at the beginning of the next counting interval." (Emphasis added).

The Office Action points to the boundary accumulator 126. However, in col. 5, lines 19-20 of Gillard it is clear that the accumulator generates the value of the Y/C pointer. This pointer points to the boundary between the luminance data section 95 and the chrominance data section 100 in that data block. This would mean that the accumulator does not determine the source packet boundaries as claimed, but the block boundaries. Furthermore, Gillard fails to mention a modulo-n counter other than in col. 6, line 15, which obviously relates to a data word counter.

Independent claim 5 recites, in apparatus form, similar features found in claim 1. Thus claim 5 is not anticipated by Gillard for at least the same reasons as those discussed with respect to claim 1.

For at least the foregoing reasons, applicants submit that Gillard fails to disclose or suggest each and every limitation of claims 1 and 5 as required to anticipate a claim, therefore, it is respectfully requested the rejection be withdrawn. Claim 8, dependent upon claim 5, is likewise allowable for at least the reasons discussed above with respect to claim 5 and because of the additionally recited features in claim 8.

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Dependent Claims 2-4, 6-7 and 9

Claims 2-4 depend from claim 1 and claims 6-7 and 9 depend from claim 5. Each dependent claim includes at least the above distinguishing features of the respective independent claim. Each dependent claim also includes additional distinguishing features.

In rejecting these claims as being obvious, the main reference Gillard is relied upon in teaching the elements of the independent claim from which each dependent claim depends. Thus, applicants essentially repeat the above arguments from claim 1 for each dependent claim pointing out why the combination of references fails to teach or suggest each and every claimed feature as required in order to provide a prima facie case of obviousness.

For at least the forgoing reasons it is respectfully requested the rejections of the dependent claims likewise be withdrawn.


Conclusion

Having fully addressed the Examiner's rejections, Applicants submit that the present application is in condition for allowance and respectfully request such action. If a fee is due, please charge the fee to Deposit Account 07-0832. Should any questions arise regarding any of the above, the Examiner is requested to contact the undersigned at 609-734-6815.

Respectfully submitted,
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